

BURR & FORMAN LLP
420 North 20th Street
Suite 3100
Birmingham, Alabama 35203
(205) 251-3000
Michael Leo Hall

Attorneys for Creditor
WACHOVIA BANK, NATIONAL ASSOCIATION

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	Chapter 11
DELPHI CORPORATION <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
Debtors.	:	(Jointly Administered)

**WACHOVIA BANK, NATIONAL ASSOCIATION'S EVIDENTIARY SUBMISSION IN
SUPPORT OF ITS POSITION**

COMES NOW Wachovia Bank, National Association, successor by merger to SouthTrust Bank ("Wachovia"), and, and hereby proffers this Evidentiary Submission, consisting of the Declaration of D. Andrew Raine, in support of Wachovia's position in the above-captioned bankruptcy case and particularly in support of Wachovia's *Motion Pursuant To 11 U.S.C. § 362 For Relief From The Automatic Stay, If Applicable, To Proceed With Litigation Against Larry Graves, A Non-Debtor Delphi Employee, In The Circuit Court Of the Second Judicial District Of Hinds County, Mississippi*, filed and served by Wachovia on November 29, 2006.

Dated: Birmingham, Alabama
April 19, 2007

BURR & FORMAN LLP

By: /s/ Michael Leo Hall
Michael Leo Hall (pro hac vice)

D. Christopher Carson (pro hac vice)
Jason D. Woodard (pro hac vice
pending)
Jennifer A. Harris (pro hac vice)

420 North 20th Street
Suite 3100
Birmingham, Alabama 35203
(205) 251-3000

Attorneys for Creditor
WACHOVIA BANK, NATIONAL ASSOCIATION

BURR & FORMAN LLP
420 North 20th Street
Suite 3100
Birmingham, Alabama 35203
(205) 251-3000
Michael Leo Hall

Attorneys for Creditor
MERCEDES-BENZ U.S. INTERNATIONAL, INC.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	Chapter 11
DELPHI CORPORATION <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
Debtors.	:	(Jointly Administered)

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document and the accompanying Declaration of Andrew Raine by transmitting a copy by means of overnight mail, by placing same in a sealed envelope with account number affixed thereto and marked "overnight priority," addressed to the below listed parties and each of the persons listed in the "Master Service List" dated April 5, 2007 and causing same to be placed into an official depository of Federal Express located within the State of Alabama. I further served the foregoing by electronic mail, or U.S. mail where an e-mail address was not provided, on all those persons listed in the "2002 List" dated April 5, 2007.

Reuben V. Anderson
Frank W. Trapp
Michael B. Wallace
Debra M. Brown
Attorneys for Larry Graves
111 East Capitol Street, Suite 600
P.O. Box 23066
Jackson, Mississippi 39225-3066

Dated: April 19, 2007
Birmingham, Alabama

BURR & FORMAN LLP

By:/s/ Michael Leo Hall
Michael Leo Hall

420 North 20th Street
Suite 3100
Birmingham, Alabama 35203
(205) 251-3000

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	Chapter 11
DELPHI CORPORATION <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
Debtors.	:	(Jointly Administered)

DECLARATION OF D. ANDREW RAINÉ

Pursuant to 28 U.S.C. § 1746, D. Andrew Raine states as follows:

1. My name is D. Andrew Raine and I reside in Jefferson County, Alabama. I am a Vice President with Wachovia Bank, National Association, successor by merger to SouthTrust Bank ("Wachovia"). I make this Declaration in support of Wachovia's position in the above-captioned bankruptcy cases (the "Bankruptcy Cases") and particularly in support of Wachovia's *Motion Pursuant To 11 U.S.C. § 362 For Relief From The Automatic Stay, If Applicable, To Proceed With Litigation Against Larry Graves, A Non-Debtor Delphi Employee, In The Circuit Court Of the Second Judicial District Of Hinds County, Mississippi* (the "Stay Motion") and Wachovia's reply (the "Reply") to the Debtors' objection to its Stay Motion.

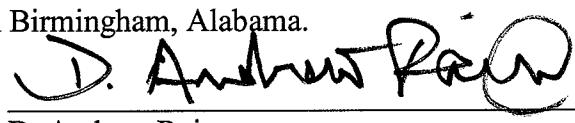
2. I am over the age of twenty-one (21) years and competent to testify to the matters contained herein. I am one of the persons who has custody and control of Wachovia's business records concerning Lextron Corporation and Lextron Automotive, LLC (together, "Lextron"). These records were made at or near the time of the event recorded by a person with knowledge of the event and charged with the responsibility for recording such events. These records are kept in the ordinary course of Wachovia's regularly conducted business activity, which is Wachovia's customary practice. I have reviewed Wachovia's file on this matter. All facts set

forth herein are either (a) facts of which I have personal knowledge or (b) an accurate summary of Wachovia's business records as set forth above.

3. I have read Wachovia's Stay Motion and its Reply. The factual statements contained therein are true and correct and the exhibits attached thereto are true and correct copies.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 18th day of April 2007 in Birmingham, Alabama.



D. Andrew Raine